

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : YOUNG et al.
INVENTION: : INDIVIDUALIZED ANTI-CANCER ANTIBODIES
SERIAL NUMBER : 09/727,370
FILING DATE : November 29, 2000
EXAMINER: : Helms, L.
GROUP ART UNIT : 1642
ATTORNEY DOCKET NO. : 2056.007



COPY OF PAPERS
ORIGINALLY FILED

RECEIVED

APR 25 2002

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being
deposited with the U.S. Postal Service as First Class mail
in an envelope addressed to Commissioner for
Patents, Washington, D.C. 20231 on 4-12-02

Susan Hess

Commissioner for Patents
Washington, D.C. 20231

RECEIVED
MAY 17 2002
TECH CENTER 1600/2900

Sir:

This is not responsive to the Office Action mailed February 22, 2002. A response will be filed in due course.

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO-1449 are hereby brought to the attention of the Examiner for independent evaluation. A copy of each reference is enclosed.

These references were made of record in the parent application U.S. Serial No. 09/415,278 now U.S. Patent NO. 6,180,357, upon which the present application claims priority under 35 U.S.C. §120. Pursuant to 37 C.F.R. §1.98(d). Applicants are not required to submit copies of these references.

Also, U.S. Patent Nos. 5,869,045 and 4,939,240; EP 0 222 360 and WO 94/18345 were cited in the preliminary search report of the European Patent Office in the corresponding European patent application. Copies of these references are enclosed.

A copy of the European search report is also enclosed, which satisfies the requirement for a concise statement of relevancy pursuant to M.P.E.P. §609 (1995).

Applicants submit that the present invention is patentable over these references.

Respectfully submitted,

Date: 4/12/2002

By: Ferris H. Lander

Ferris H. Lander
Registration No. 43,377
McHale & Slavin, P.A.
4440 PGA Boulevard, Suite 402
Palm Beach Gardens, FL 33410
Telephone: (561) 625-6575

X spe 6A4711642
#

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : YOUNG et al.

INVENTION: : INDIVIDUALIZED ANTI-CANCER ANTIBODIES

SERIAL NUMBER : 09/727,370

FILING DATE : November 29, 2000

EXAMINER: : Helms, L.

GROUP ART UNIT : 1642

ATTORNEY DOCKET NO. : 2056.007



RECEIVED

APR 25 2002

TECH CENTER 1600/2900

RECEIVED

MAY 17 2002

TRANSMITTAL LETTER

TECH CENTER 1600/2900

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on 4-12-02

Susan Hess

Commissioner for Patents
Washington, D.C. 20231

Sir:

Please find enclosed for filing:

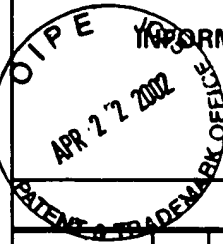
- ☒ Petition to Commissioner Pursuant to 37 CFR 1.97(d)
 - ☒ Information Disclosure Statement
 - ☒ PTO-1449
 - ☒ References
 - ☒ Please charge Deposit Account No. 13-0439 in the amount of \$180.00 for Petition fee.
 - ☒ Please charge any deficiencies or credit any overpayment to Deposit Account No. 13-0439.
- This Transmittal Letter is submitted in duplicate.

Date: 4/12/2002

Respectfully submitted,

By: Ferris H. Lander

Ferris H. Lander
Registration No. 43,377
McHale & Slavin, P.A.
4440 PGA Boulevard, Suite 402
Palm Beach Gardens, FL 33410
Telephone: (561) 625-6575

Form PTO-1449
(Rev. 2-88)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
2056.007APPLICATION NO.
09/727,370INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use several sheets if necessary)

APPLICANT
YOUNG et al.FILING DATE
11/29/00GROUP
1642

U.S. PATENT DOCUMENTS

EXAMINER'S INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,750,102	05/98	Eisenbach et al.			
	4,861,581	08/89	Epstein et al			
	5,171,665	12/92	Hellstrom et al.			
	5,484,596	01/96	Hanna, Jr. et al.			
	5,693,363	12/97	Codington et al.			
	5,783,186	07/98	Arakawa et al.			
	5,849,876	12/98	Linsley et al.			
	5,869,045	02/99	Hellstrom et al.			
	5,869,268	03/99	Kudo et al			
	5,780,033	07/98	Torchillinn et. al.			
	4,172,124	10/79	Koprowski et al.			
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Herlyn et al., Int. J. Cancer 27, (1981); pp.769-774
		Knuth et al., Proc. Am. Assoc. Cancer Res. 25; (1984) p.1005
		Cruse et al., Illustrated Dictionary of Immunology, CRC Press, (1995) p.280
		Horoszewicz et al., Anticancer Research 7, (1987) pp. 927-36.

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if a citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

MAY 17 2002
TECH CENTER 1600/2900

RECEIVED

APR 25 2002

TECH CENTER 1600/2900

COPY OF PAPERS
ORIGINALLY FILED

Form PTO-1449
(Rev. 2-88)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
2056.007APPLICATION NO.
09/727,370INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use several sheets if necessary)

APPLICANT
YOUNG et al.FILING DATE
11/29/00GROUP
1642

RECEIVED

APR 25 2002

U.S. PATENT DOCUMENTS

TECH CENTER 1600/2

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

			Badger CC, Bernstein ID. "Prospects for monoclonal antibody therapy of leukemia and lymphoma". Cancer Vol. 58., (1986) pp.584-9.
			Begg AC, Mooren E; "Rapid fluorescence-based assay for radiosensitivity and chemosensitivity testing in mammalian cells in vitro". Cancer Research., Vol. 49, (1986) pp.565-9.
			Boven E, Pinedo HM.; "Monoclonal antibodies in cancer treatment: where do we stand after 10 years?" Radiotherapy & Oncology. Vol. 5, (1986) pp.109-17.
			Costa A, Silvestrini R, Del Bino G, Motta R.; "Implications of disaggregation procedures on biological representation of human solid tumours". Cell Tissue Kinet, Vol 20, (1987) pp.171-80.
			Dairkee SH, Paulo EC, Traquina P, Moore DH, Ljung BM, Smith HS; "Partial enzymatic degradation of stroma allows enrichment and expansion of primary breast tumor cells". Cancer Res. Vol. 57. (1997) pp.1590-6.
			Dillman RO, "Monoclonal antibodies for treating cancer". Annals of Internal Medicine. Vol. 111 (1989) pp.592-603.
			Dillman RO.; "Antibodies as cytotoxic therapy"; Journal of Clinical Oncology, Vol. 12, (1994) pp.1497-515.
			Disis ML, Cheever MA; "Her-2/neu protein: a target for antigen-specific immunotherapy of human cancer". Advances in Cancer Research, Vol. 71 (1997) pp.343-71.
			Dvorak HF, Nagy JA, Dvorak AM.; "Structure of solid tumors and their vasculature: Implications for therapy with monoclonal antibodies". Cancer Cells; Vo. 3. (1991) pp.77-85.
			Engelhorn SA, Spang-Thomsen M, Brunner N, Nohr I, Vindelov. LL.; "Disaggregation of human solid tumours by combined mechanical and enzymatic methods". Br J. Cancer. Vol 51. (1985) pp.93-8.
			Epsstein AL, Marder RJ, Winter JN, et al.; "Two new monoclonal antibodies; Lym-1 and Lyn02, reactive with human B-lymphocytes and derived tumors, with immunodiagnostic and immunotherapeutic potential". Cancer Research. Vol. 47 (1987) pp830-40.
			Foon KA.; "Biological therapy of cancer". Breast Cancer Research & Treatment. Vol. 7 (1986) pp.5-14.
			Franzen B, Linder S, Okuzawa K, Kato H, Auer G. "Nonenzymatic extraction of cells from clinical tumor material for analysis of gene expression by two-dimensional polyacrylamide gel electrophoresis". Electrophoresis. Vol. 14 (1993) pp.1045-53.
			Harris DT, Mastrangelo MJ.; "Serotherapy of cancer". Seminars in Oncology. Vol. 16 (1989) pp.180-98.
			Holz E, Raab R, Rietlunuller G.; "Antobody-based immunotherapeutic strategies in colorectal cancer". Recent Results in Cancer Research. Vol. 142 (1996) pp.381-400.
			Kravtsov VD, Fabian I.; "Automated monitoring of apoptosis in suspension cell cultures". Laboratory Investigation. Vol. 74 (1996) pp.557-70.

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if a citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

COPY OF PAPERS
ORIGINALLY FILED

TECH CENTER 1600/2900

MAY 17 2002

RECEIVED

Form PTO-1449 (Rev. 2-88)				U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 2056.007		APPLICATION NO. 09/727,370	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>				APPLICANT YOUNG et al.					
				FILING DATE 11/29/00				GROUP 1642	
U.S. PATENT DOCUMENTS									
EXAMINER'S INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
		4,939,240	07/90	Chu et al.					
		5,869,045	02/99	Hellstrom et al.					
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION				
YES	NO								
0 222 360	05/87	Europe			X				
WO 94/18345	08/94	PCT			X				
OTHER DOCUMENTS (<i>Including Author, Title, Date, Pertinent Pages, Etc.</i>)									
EXAMINER			DATE CONSIDERED						

* EXAMINER: Initial if a citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.